

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

***In re FIRSTENERGY CORP
SECURITIES LITIGATION***

This document relates to:

ALL ACTIONS.

:
: Case No. 2:20-cv-3785
:
: Chief Judge Algenon L. Marbley
: Magistrate Judge Kimberly A. Jolson
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:
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ORDER

This matter is before the Court on Class Plaintiffs' Motion for Leave to File Instanter Reply in Support of Objection to the Magistrate Judge's Aggregation Order and Request to Stay *Nunc Pro Tunc* (ECF No. 380). The Magistrate Judge's October 18, 2022 Order (ECF No. 355) resolves a dispute between the parties regarding coordination of fact depositions between the instant case and the Direct Action cases.

Class Plaintiffs' Objection (ECF No. 360) to the October 18, 2022 Order was met with responses in opposition from Defendants (ECF No. 374) and Direct-Action Plaintiffs (ECF No. 375-1). Class Plaintiffs then, without first seeking leave of court, filed their reply to the opposition memoranda. (ECF No. 377). But as Defendants correctly noted in their Motion to Strike Class Plaintiffs' Reply Memorandum (ECF No. 379), Class Plaintiffs were *required* to seek leave from this Court to file their reply brief. *See* Eastern Division Order 22-01 (Feb. 1, 2022). Class Plaintiffs do not dispute that they failed to do so. This Court, however, credits Class Plaintiffs' acknowledgment of their procedural error (ECF No. 380 at 1) and their attempt to rectify the same via their Motion for Leave.

Class Action Plaintiffs' Motion (ECF No. 380) is thus **GRANTED**, and Defendants' Motion to Strike Plaintiffs' Reply Memorandum (ECF No. 379) is **DENIED**. This Court will consider Class Action Plaintiffs' earlier-filed reply brief (ECF No. 377).

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

Dated: November 21, 2022